

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Florence Henry, et al.

Examiner: Catheryne Chen

Application No.:

10/578,344 (Conf. No. 6599)

Group Art Unit: 1655

Filed: May 5, 2006

Attorney Docket No. C 2892
(S&L Docket No.: P40090 USA

For: Composition Containing an Extract of the Fruit of Schisandra Chinensis and
Process for Producing Same

FILED ELECTRONICALLY ON DECEMBER 4, 2008

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO SUSPEND PROSECUTION UNDER 37 CFR 1.103

Sir:

Applicants hereby petition for a three (3) month suspension of examination under the provisions of 37 C.F.R. 1.103(a). This submission is accompanied by an authorization to charge deposit account number 50-1943 for the petition fee of \$200 under 37 C.F.R. 1.17(g). If any additional fees are required to further the prosecution of this application, the Office is authorized to charge such fees to Deposit Account No. 50-1943.

A non-final office action was mailed in connection with the above identified application on August 4, 2008. A reply to this office action has been filed concurrently herewith. Therefore, no reply to this office action is outstanding.

Good and sufficient cause exists for suspension of action in connection with this application. Applicants contend that the subject matter defined by the claims now pending produces unexpected results relative to the disclosures contained in the cited patent documents. Applicants request suspension in order to meet the examiners objections and

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facilitate prosecution of the present application. Suspension of prosecution for a period of three (3) months will provide sufficient time for applicants to develop the data necessary to establish such unexpected results in view of cited patent documents.

If any additional fees are required to further the prosecution of this application, the Office is authorized to charge such fees to Deposit Account No. 50-1943.

Respectfully submitted,

Date: December 4, 2008

/Joseph F. Posillico/

Joseph F. Posillico

Reg. No. 32,290

Fox Rothschild LLP
1101 Market Street; Suite 2600
Philadelphia, PA 19107
Telephone: (215) 923-4466
Facsimile: (215) 923-2189

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